

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILED
JUN 06 2025
CLERK'S OFFICE
DETROIT

DERRICK LEE CARDELLO-SMITH, #267009
Plaintiff

Vs

Case No 5:24-cv-12647
Honorable Judith E. Levy

SEAN COMBS,
Defendant,

**MOTION TO VACATE JANUARY 22, 2025
ORDER GRANTING DISMISSAL WITH PREJUDICE
BASED ON FRAUDULENT CONCEALMENT OF THE
SEXUAL ASSAULT OF PLAINTIFF BY DEFENDANT
WHERE THE OFFER OF PROOF CONFIRMS THE RAPE
WAS REPORTED TO THE DETROIT POLICE DEPARTMENT**

Plaintiff, now moves this court to vacate the Courts January 22, 2025 Order granting Dismissal with Prejudice based on the grounds of fraudulent concealment by the defendant(s) in this case and the below arguments:

1. The Detroit Police Department's Sergeant Patrick Jackman conducted a full request for Felony Complaint and Authorized a Warrant for the arrest of the Defendant Sean Combs on July 1, 1997 and this was concealed by the current Chief Wayne County Prosecutor Kym L. Worthy and other law enforcement officials.

2. The Offer of Proof Confirms that the Defendants have in fact conspired to hide the rape of this plaintiff and did so for the purpose of monetary gains that this plaintiff has been stating all along.

3. Defendants Committed Fraudulent Concealment of this report and in doing so, violated this plaintiff constitutional rights.

4. The Defendants were discovered to have had this report only recently and it was after the granting of the courts January 22, 2025 Judgment in favor of the Defendants, and it will remain that way to protect the anonymity of the person who provided this information through the proper channels, as that they are currently employed in the Law Enforcement Sector of Detroit, Michigan County of Wayne and they have to be protected.

5. Plaintiff states that this fraudulent concealment of the warrant request confirms the sexual assault of this plaintiff and it TOLLS THE STATUTE OF LIMITATIONS and requires this court to grant relief sought.

RELIEF SOUGHT

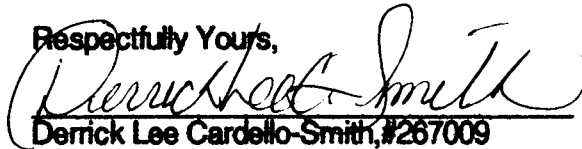
Wherefore, grant the District Courts January 22, 2025 order of dismissal is vacated, and the Judgment is entered in favor of the plaintiff for the relief demanded in the Original Complaint in the amount originally awarded to this Plaintiff and grant any further relief this court deems necessary.

PROOF OF SERVICE

Service has been made to the attorneys of record on 6-1-25 by US Mail.

Respectfully Yours,

June 1, 2025

A handwritten signature in black ink, appearing to read "Derrick Lee Cardello-Smith", written over a horizontal line.

Derrick Lee Cardello-Smith, #267009
Plaintiff in Pro Per
Ionia Maximum Correctional Facility
1576 W. Bluewater Highway
Ionia, MI 48846

Derrick Lee Cardello-Smith
#267009
IMAX-1576 W. Bluewater Highway
Ionia, MI 48846

June 1, 2025

Clerk of the Court
US District Court
Theodore Levin US Courthouse
Case Processing Section-Room 564
231 W. Lafayette Blvd
Detroit, MI 48226

Re: Derrick Lee Cardello-Smith vs Sean Combs
Case No 5:24-cv-12647

Dear Clerk:

Enclosed for filing in the above cause documents that are:

1. OFFER OF PROOF AS TO THE FELONY COMPLAINT WARRANT FOR SEAN COMBS ARREST FOR SEXUAL ASSAULT OF THIS PLAINTIFF IN 1997 AS REQUESTED BY SARGEANT PATRICK JACKMAN OF THE DETROIT POLICE DEPARTMENT, AND CONFIRMING FRAUDULENT CONCEALMENT BY DETROIT OFFICIALS TO HIDE THE RAPE OF THIS PLAINTIFF BY DEFENDANT SEAN COMBS.

2. MOTION

3. PROOF OF SERVICE

Thank you for your attention to this matter.


Derrick Lee Cardello-Smith

NAME: _____
Number: _____
Address: _____
Address: _____

Mr. Derrick Lee Cardello-Smith
#267009
Ionia Maximum Correctional Facility
1576 W. Bluewater Highway
Ionia, MI 48846.

Mailed on 6-1-25
Case No 5:24-cv-12647

RECEIVED
JUN 06 2025

CLERK'S OFFICE
U.S. DISTRICT COURT
48226-277758

Office of the Clerk
United States District Court
Theodore Levin US Courthouse
Case Processing Section-Room 364
231 W. Lafayette Blvd
Detroit, MI 48226

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